

these wetlands (see the attached comments for the discussion of methodology) they should merit very high functional ratings for diversity of wildlife habitat and be avoided to the maximum extent practicable.

#### Cumulative Impacts

After reviewing the excellent analyses of potential indirect/cumulative impacts, we believe that this project will not lead to substantial growth in the area and therefore will not result in substantial alteration either through cumulative or indirect effects to the overall environment of Blowing Rock. While bypass Alternatives 4A and B potentially improve access for more development, the restricted access to the highway and the terrain would tend to mute the roadway's impact. At the northern end of these alternatives, where the terrain is less steeply sloped, some stimulation of development could result from a new roadway. The long-term impacts of development on mountain views and natural resources will be determined largely by how the municipalities and Watauga County guide and regulate growth.

#### Summary of Comments

11-V All of the alternatives result in some direct environmental concerns; and there is not one alternative that is clearly environmentally superior to all of the others. That said, one alternative is clearly more damaging than the other alternatives. Therefore, we rate Alternative 4A more severely than the other alternatives assigning it an "EO" rating (environmental objections). This rating is assigned primarily because this configuration would present the greatest visual impact relative to the Blue Ridge Parkway, and it would result the greatest impact on the natural habitat. The placement of this alternative and its cut-and-fill configuration would bisect a generally undisturbed forested Blue Ridge escarpment and greatly hinder wildlife movement. Crossing 14 of the 20 streams with fill and culverts make this alternative substantially more damaging than Alternative 4B, which maximizes the use of bridging instead of cuts and fills.

Otherwise, there remain major tradeoffs between the alternatives that would result in impacts to the natural environment or impacts to the various cultural and economic resources. Accordingly, EPA is rating the Widening Alternative and the other bypass Alternatives 1A, 1B and 4B as "EC" (environmental concerns). The Widening Alternative provides substantial transportation benefits while generally minimizing environmental impacts, and therefore should get continued consideration if the Town of Blowing Rock's and historic/cultural concerns can be adequately addressed.

EPA is assigning the DEIS a sufficiency rating of "1" since we believe that the document reflects a comprehensive and objective analysis of all pertinent environmental parameters. However, as discussed above, we see the need for further coordination with the Town and other stakeholders on the Widening Alternative to see if additional changes can be made in order to address their concerns. Enclosed for consideration are additional comments pertaining to the technical information and analyses.

Thank you for the opportunity to review the DEIS. If you have any questions regarding these comments, please contact me or Ted Bisterfeld of my staff at 404/562-9621.

Sincerely,



Heinz J. Mueller, Chief  
Office of Environmental Assessment

Enclosure: EIS Ratings System Criteria  
Additional Comments

cc: Nick Graf, FHWA, Raleigh  
Garland Pardue, USFWS Raleigh Field Office  
Steve Lund, USACOE, Asheville Field Office

## Additional Comments on the US 321 Blowing Rock DEIS

### Socio-Economic

In 1999, EPA participated in the interagency Merger Team's deliberations about the alternatives to be considered in detail in the EIS. The alternatives remaining under consideration at that time were: to widen existing US 321 on its present alignment; a bypass on new location through the eastern portion of the Town of Blowing Rock (Alternative 1); and a complete bypass to the east of the town on new location through forested land and tunneling under the Blue Ridge Parkway (Alternative 4). The Widening Alternative already was receiving considerable analysis by NCDOT. TSM provisions were applied as were enhancements for making the project compatible with the surrounding development. EPA and the other environmental resource agencies were presented with the results of the work by NCDOT. However, although no concurrence was reached because of major environmental issues against retaining Alternative 4 for further analysis, NCDOT decided to carry it forward along with the Widening Alternative and Alternative 1 for more detailed analysis in the DEIS.

Data cited for population and economic trends rely on the 1990 Census and other data from the 1990s. While there are estimates for year 2000 population, etc., this information should have included the year 2000 Census data.

Community cohesion, according to the document, is a negative factor for the bypass alternatives only. EPA considers the addition of two additional lanes to be a negative factor for the Widening Alternative but not to the degree of impediment that a new, controlled access roadway presents to existing communities. Two neighborhoods are identified as being impacted by each of the bypass alternatives. Without more specific information, it seems likely that the community cohesion impact along the Alternative 1 corridor would be more severe than along Alternative 4.

### Economic Impacts

This analysis evaluated the potential impact on businesses of the various alternatives. It was very informative regarding one of the key project issues. This type of analysis should be standard for all improvement projects considering a bypass of commercial business districts.

We agree with the findings that construction of the Widening Alternative would be highly disruptive to US 321 businesses. The findings about business impact following construction, however, are the most interesting and of greater importance. The key factor is the differentiation of businesses by the proportion of opportunity and destination types of sales. Blowing Rock, being a resort, has a destination-dominant economy. Bypass alternatives were found to result in an overall loss of sales revenue just under 12 percent to existing US 321 businesses, while the incorporation of a landscaped median along a 4-lane US 321 would result in lost sales of just

under 3 percent. Please clarify what time frames are meant by post-construction near term and longer term impacts in the analysis.

We note that the town desires to retain a "village appeal" which we assume would include the commercial area of US 321. One factor to consider is how excessive traffic speed could hinder this goal along this long, straight section of US 321. NCDOT has done an excellent job addressing the appearance of a widened right-of-way, but has not fully addressed the importance of speed control through the commercial district and the associated pedestrian safety issues. There is an emphasis in the document to highlight the natural and historic attributes of this mountain community. The document strongly infers a direct relationship between the quality of these attributes to the economic success and general appeal of the Blowing Rock community. We agree with this relationship.

We note the substantive analysis of the potential economic impact to businesses along present US 321. Given that Blowing Rock has a tourist-based economy, it was interesting that the analysis concluded that the Widening Alternative (with landscaped median) would have minimal adverse impact on sales revenue, and that all of the bypass alternatives would result in greater loss of sales revenue. Part of the overall economic issue which NCDOT, FHWA must deal with is the great disparity in the total costs of the alternatives.

### Natural Resource Impacts

Discussed on page 3-66 is the NC Division of Water Quality's (DWQ) methodology, which was utilized to assess the functional importance of the wetland resources. EPA has stated in comments on other projects its disagreement with this methodology because of the unequal and low weighting of factors for wildlife functional values. In this project area, it is noted that wetland vegetated communities are limited in extent and do not vary substantially among alternatives. We wish to note that the DWQ assessment methodology does not include any factor for wetland scarcity, which is another shortcoming of the methodology. EPA believes that because of the scarcity of wetlands in this project area, the impacted wetlands should merit very high functional ratings for diversity of wildlife habitat.

### Relocations

Regarding residential relocations, the Widening Alternative affects 16 residences, Alternative 1A affects 24, Alternative 1B affects 27 (not 24 as indicated in Table 4-1), Alternative 4A affects 8 and Alternative 4B affects 6 residences. According to the DEIS, replacement housing in the \$40,000-100,000 price range may not be readily available in the area. The issue of adequate replacement housing should be more fully addressed in the FEIS.

SUMMARY OF RATING DEFINITIONS  
AND FOLLOW-UP ACTION\*

Environmental Impact of the Action

LO--Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC--Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO--Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU--Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the CEQ.

Adequacy of the Impact Statement

Category 1--Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2--Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3--Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 109 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

\*From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions



North Carolina Department of Environment and Natural Resources

Michael F. Easley, Governor

William G. Ross Jr., Secretary

MEMORANDUM

TO: Chrys Baggett  
State Clearinghouse

FROM: Melba McGee ✓  
Environmental Review Coordinator

SUBJECT: 03-0021 DEIS for the Proposed US 321 Blowing Rock Bypass,  
Caldwell and Watauga Counties

DATE: September 23, 2002

The Department of Environment and Natural Resources has reviewed the proposed information. The attached comments are for the applicant's information.

Thank you for the opportunity to review.

Attachments



### INTERGOVERNMENTAL REVIEW - PROJECT COMMENTS

After review of this project it has been determined that the DENR permit(s) and/or approvals indicated may need to be obtained in order for this project to comply with North Carolina Law. Questions regarding these permits should be addressed to the Regional Office indicated on the reverse of this form. All applications, information and guidelines relative to these plans and permits are available from the same Regional Office.

### DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES DIVISION OF ENVIRONMENTAL HEALTH

#### Inter-Agency Project Review Response

Project Name NC 45 DOT - 45 321 Type of Project Widen Highway on Build Systems

- ☐ The applicant should be advised that plans and specifications or all water system improvements must be approved by the Division of Environmental Health prior to the award of a contract or the initiation of construction (as required by 15A NCAC 18C .0300et. seq.). For information, contact the Public Water Supply Section, (919) 733-2321.
- ☐ This project will be classified as a non-community public water supply and must comply with state and federal drinking water monitoring requirements. For more information the applicant should contact the Public Water Supply Section, (919) 733-2321.
- ☐ If this project is constructed as proposed, we will recommend closure of \_\_\_\_\_ feet of adjacent waters to the harvest of shellfish. For information regarding the shellfish sanitation program, the applicant should contact the Shellfish Sanitation Section at (252) 726-6827.
- ☐ The soil disposal area(s) proposed for this project may produce a mosquito breeding problem. For information concerning appropriate mosquito control measures, the applicant should contact the Public Health Pest Management Section at (252) 726-8970.
- ☐ The applicant should be advised that prior to the removal or demolition of dilapidated structures, a extensive rodent control program may be necessary in order to prevent the migration of the rodents to adjacent areas. For information concerning rodent control, contact the local health department or the Public Health Pest Management Section at (919) 733-6407.
- ☐ The applicant should be advised to contact the local health department regarding their requirements for septic tank installations (as required under 15A NCAC 18A. 1900 et. seq.). For information concerning septic tank and other on-site waste disposal methods, contact the On-Site Wastewater Section at (919) 733-2895.
- ☐ The applicant should be advised to contact the local health department regarding the sanitary facilities required for this project.
- ☒ If existing water lines will be relocated during the construction, plans for the water line relocation must be submitted to the Division of Environmental Health, Public Water Supply Section, Technical Services Branch, 1634 Mail Service Center, Raleigh, North Carolina 27699-1634, (919) 733-2321.
- ☒ For Regional and Central Office comments, see the reverse side of this form.

Jerry R. [Signature]  
Reviewer

Public Water Supply  
Section/Branch

8/27/02  
Date

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PERMITS	SPECIAL APPLICATION PROCEDURES or REQUIREMENTS	Normal Process (Statutory Time)
<input type="checkbox"/> Permit to construct & operate wastewater treatment facilities, sewer system extensions & sewer systems not discharging into state surface waters.	Application 90 days before begin construction or award of construction contracts. On-site inspection. Post-application technical conference usual.	30 days (90 days)
<input type="checkbox"/> NPDES-permit to discharge into surface water and/or permit to operate and construct wastewater facilities discharging into state surface waters.	Application 180 days before begin activity. On-site inspection preapplication conference usual. Additionally, obtain permit to construct wastewater treatment facility-granted after NPDES. Reply time, 30 days after receipt of plans or issue of NPDES permit-whichever is later.	90 - 120 days (N/A)
<input type="checkbox"/> Water Use Permit	Preapplication technical conference usually necessary	30 days (N/A)
<input type="checkbox"/> Well Construction Permit	Complete application must be received and permit issued prior to the installation of a well.	7 days (15 days)
<input type="checkbox"/> Dredge and Fill Permit	Application copy must be served on each adjacent riparian property owner. On-site inspection. Preapplication conference usual. Filing may require Easement to Fill from N.C. Department of Administration and Federal Dredge and Fill Permit.	55 days (90 days)
<input type="checkbox"/> Permit to construct & operate Air Pollution Abatement facilities and/or Emission Sources as per 15 A NCAC (2Q.0100, 2Q.0300, 2H.0600)	N/A	60 days
<input checked="" type="checkbox"/> Any open burning associated with subject proposal must be in compliance with 15 A NCAC 2D.1900	N/A	60 days (90 days)
<input checked="" type="checkbox"/> Demolition or renovations of structures containing asbestos material must be in compliance with 15 A NCAC 2D.1110 (a) (1) which requires notification and removal prior to demolition. Contact Asbestos Control Group 919-733-0820.		
<input type="checkbox"/> Complex Source Permit required under 15 A NCAC 2D.0800		
<input checked="" type="checkbox"/> The Sedimentation Pollution Control Act of 1973 must be properly addressed for any land disturbing activity. An erosion & sedimentation control plan will be required if one or more acres to be disturbed. Plan filed with proper Regional Office (Land Quality Section) at least 30 days before beginning activity. A fee of \$40 for the first acre or any part of an acre.		20 days (30 days)
<input type="checkbox"/> The Sedimentation Pollution Control Act of 1973 must be addressed with respect to the referenced Local Ordinance.		30 days
<input type="checkbox"/> Mining Permit	On-site inspection usual. Surety bond filed with DENR. Bond amount varies with type mine and number of acres of affected land. Any are mined greater than one acre must be permitted. The appropriate bond must be received before the permit can be issued.	30 days (60 days)
<input type="checkbox"/> North Carolina Burning permit	On-site inspection by N.C. Division of Forest Resources if permit exceeds 4 days	1 day (N/A)
<input type="checkbox"/> Special Ground Clearance Burning Permit-22 counties in coastal N.C. with organic soils.	On-site inspection by N.C. Division of Forest Resources required "if more than five acres of ground clearing activities are involved. Inspections should be requested at least ten days before actual burn is planned."	1 day (N/A)
<input type="checkbox"/> Oil Refining Facilities	N/A	90 - 120 days (N/A)
<input type="checkbox"/> Dam Safety Permit	If permit required, application 60 days before begin construction. Applicant must hire N.C. qualified engineer to: prepare plans, inspect construction, certify construction is according to DENR approved plans. May also require permit under mosquito control program, and a 404 permit from Corps of Engineers. An inspection of site is necessary to verify Hazard Classification. A minimum fee of \$200.00 must accompany the application. An additional processing fee based on a percentage of the total project cost will be required upon completion.	30 days (60 days)



North Carolina  
Department of Environment and  
Natural Resources

Michael F. Easley, Governor  
William G. Ross Jr., Secretary



North Carolina  
Division of Forest Resources

Stanford M. Adams, Director  
2411 Old US 70 West  
Clayton, NC 27520  
August 12, 2002

# MEMORANDUM

TO: Melba McGee, Office of Legislative Affairs  
FROM: Bill Pickens, NC Division Forest Resources *Bill Pickens*  
SUBJECT: DOT DEIS for the Proposed US 321 Blowing Rock Bypass, Caldwell and Watauga Counties

PROJECT #: 03-0021 & TIP # R-2237C

The North Carolina Division of Forest Resources has reviewed the referenced Environmental Impact Statement and offer the following comments concerning impacts to woodlands.

1. The construction of the roadway will impact forestland, ranging from 27 acres for the Widening Alternative to 93 acres for Alternative 4a.
2. We support the selection of Widening Alternative as it impacts the fewest forested acres. However, if for other considerations, a bypass were deemed necessary we would support alternative 1A or 1B.
3. Our other concerns have been addressed.

We appreciate the opportunity to provide comment on the document and look forward to future correspondence. We encourage efforts that avoid or minimize impacts to forest resources during the final planning of this project.

cc: Mike Thompson



Michael F. Easley, Governor  
William G. Ross Jr., Secretary  
North Carolina Department of Environment and Natural Resources  
Alan W. Klimek, P.E. Director  
Division of Water Quality

September 30, 2002

# MEMORANDUM

To: Melba McGee  
Through: John Dorney *John Dorney*  
From: John Hennessy *John Hennessy*  
Subject: Comments on the DEIS for US 321 improvements in Blowing Rock in Caldwell and Watauga Counties, Federal Aid Project No. NHF-321(1), State Project No. 6.7939001T, TIP Project No. R-2237C, DENR Project Number 03-E-0021.

This office has reviewed the referenced document. The Division of Water Quality (DWQ) is responsible for the issuance of the Section 401 Water Quality Certification for activities that impact Waters of the U.S., including wetlands. It is our understanding that the preferred alternative, as presented in the EA, will result in impacts to multiple jurisdictional wetlands and streams. The DWQ offers the following comments based on review of the aforementioned document:

- A) The DWQ is a participating member of the NEPA/404 Merger Team for this project. We look forward to working with the team in the selection of the Least Environmental Damaging Practicable Alternative (LEDPA).
- B) On January 18, 2001, a NEPA/404 Merger Team meeting was held to select the alternatives for detailed study (Concurrence Point 2). The team agreed to study Widen Existing Alternative and the new location Bypass Alternative 1. Based on the agreed upon protocols for the Merger Process, DOT should have only studied those two alternatives. However, DOT developed a document that included two variants of the Alternative New Location Alternative 4 (Alternative 4A and 4B in the document), and two variants of the New Location Bypass Alternative 1 (labeled as 1A and 1B in the document). In short, DOT continued to study an alternative that the team agreed to drop, and added two new alternatives. As such, the signed Concurrence Point 2 is now considered by the NCDWQ to be invalid. A new meeting to discuss and agree upon Concurrence Point 2 will need to be held, and new DEIS or supplemental DEIS may prove necessary.
- C) At this time, the DWQ does not believe that Alternative 4 is a viable option for the project. Alternative 4 has excessive costs and environmental impacts. The costs for Alternatives 4A and 4B are 170.5 and 250 million dollars, respectively. The cost for the Widening Alternative is 46 million dollars, and Alternatives 1A and 1B are 75.1 million and 92.2 million dollars, respectively. In addition, Alternatives 4A and 4B will result in impacts to 19 and 21 streams, respectively. The Widening Alternative will impact 4 streams, while Alternatives 1A and 1B will impact 4 and 5 streams, respectively.
- D) The 404 NEPA/Merger Team agreed to study Alternative 1 and the Widen Existing Alternative. Why does the document present two alternatives (Alternative 1A and 1B) for Alternative 1?
- E) The document presents the number of stream crossings anticipated for each alternative. However, it fails to quantify the anticipated total linear feet of stream impacts. Please add the anticipated total impacts to future documentation.





Michael H. Easley, Governor  
William G. Ross Jr., Secretary  
North Carolina Department of Environment and Natural Resources  
Alan W. Klimek, P.E. Director

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- F) The alternatives as presented appear to represent functional roadway design, rather than corridors. While we understand, and even support, the Department of Transportation developing the roadway design as much as possible, as early as possible, it should be noted that further horizontal and vertical realignment may be necessary as part of performing all possible avoidance and minimization prior to issuing the 401 Water Quality Certification.
  - G) The document does not appear to count impacts to natural systems as a result of bridging. While DWQ encourages the placement of bridges, and considers them essential methods for minimizing impacts, their presence still results in impacts to the systems being crossed. As such, all future documentation should include the anticipated impact from their placement. It should be noted that the impacts resultant from bridging will not require any compensatory mitigation from DWQ.
  - H) As a result of the impacts from proposed bridges not being counted for each alternative, Alternative 4B appears to have much lower impacts to natural systems than is really the case. Please revise the impact totals for this alternative.
  - I) On page 4-98, the document indicates that some streams, "...must be filled and moved in order to accommodate the new roadway". As part of issuing the 401 Water Quality Certification, avoidance and minimization to jurisdictional wetlands and streams is necessary. As such, the first order of roadway alignment is to consider moving the road to accommodate the streams. After that has been assessed, then we can consider filling and relocating streams. Please make the necessary changes to the document and roadway designs.
  - J) It is difficult to discern the presence of wetlands and streams on the maps presented in the document. Please provide mapping that more clearly shows the proposed alternatives superimposed over the impacted resources.
  - K) In reviewing Alternatives 1A and 1B, it appears that several parallel impacts to streams may be avoidable by realigning the proposed road (see comment I). It should be noted that avoidance and minimization of impacts to jurisdictional wetlands and streams is essential prior to issuance of the 401 Water Quality Certification. Please review the design and provide an explanation as to why the road cannot be realigned to avoid or minimize this impact.
  - L) In comparing Tables 4-23 through 4-27, it appears as if the crossing numbers for impacted streams have been established so that alternatives that share the same crossing have the same number. As an example, it appears in reviewing the roadway designs, that the crossing number 1 for Alternative 4A and 4B is the same stream. However, the impact totals presented in Tables 4-26 and 4-27 are not the same. However, crossing 7 for alternatives 1A and 1B is the same. Please clarify the apparent discrepancy throughout all the tables.
  - M) Typical roadway cross-sections for the Widen Existing Alternative show varying median widths ranging from 4 feet to 16 feet. One of the negative aspects of the Widening Alternative is the impact to homes and businesses. Please provide an explanation that details the rationale for the varying median widths. In addition, a small median (4 feet) from south of Blowing Rock to the intersection with Possum Hollow Road should be considered for this alternative. If a 4-foot median is not appropriate, please provide an explanation that details the rationale for it not being used.
  - N) In reference to crossing number two on the Widening Alternative, it appears as if the road can be moved to avoid or minimize this impact. Please review the present design and provide new plans that avoid and/or minimize the impact. If the prescribed realignment is not possible, please provide a detailed explanation.
  - O) In future documentation, please provide mapping with labels that correspond to the table of impacts. As an example, crossing 2 on the Widening Alternative could be labeled as crossing two on the design drawings.



Michael H. Easley, Governor  
William G. Ross Jr., Secretary  
North Carolina Department of Environment and Natural Resources  
Alan W. Klimek, P.E. Director

- P) In reference to crossing 2 on Alternative 1B, it appears as if the impact can be avoided or minimized by moving the roadway alignment. Please review the present design and provide new plans that avoid and/or minimize the impact. If the prescribed realignment is not possible, please provide a detailed explanation.
- Q) On page 4-102, the document states that the project would require the use of a Nationwide 14 general permit. Given the magnitude and nature of the impacts, we believe that the project will require an Individual Permit from the US Army Corps of Engineers, and corresponding Individual Certification from the NCDWQ.
- R) On page 4-111, Section 4.15.1-4.15.4, all anticipated impacts from utility relocations should be included as part of the overall project impacts for each alternative.
- S) On page 4-114, the document indicates that the existing development trends will not be affected by congestion because the areas where development is occurring do not use US 321 for access to Blowing Rock and associated amenities. Assuming this assertion is accurate, doesn't it potentially argue against the need for the project at all? Please review this analysis and modify as appropriate.
- T) While the discussion on potential secondary and cumulative impacts from the project is good, additional information about the various water quality programs that are associated with the water body classifications should be added. As an example, several impacted streams are classified as Trout Waters. These waters have a set of protections associated with the Trout Waters classification. A listing of those protections and how they work to protect water quality is necessary as part of the discussion for the 401 Water Quality Certification. In addition, given the presence of waters classified as Trout Waters and based on our internal policy regarding the type of analysis required for each project, a quantitative assessment of the anticipated secondary and cumulative impacts from the project will be required as part of the 401 Water Quality Certification application. The discussions required for the issuance of the 401 Water Quality Certification could easily be included at this stage of the environmental document development.
- U) The impacts associated with borrow and waste sites is a product of the road project and the responsibility of the NCDOT. As such, all the anticipated impacts resultant from the location and use of borrow and waste sites needs to be included in the 401 Water Quality Certification.
- V) On page 4-145, the document indicates that the construction of Alternative 1A or 1B would prove detrimental to further development in the area. It has been our experience that this statement is inaccurate. We have seen repeated examples of the construction of a new location roadway accelerating development in the adjacent area. However, examples of the converse have not been observed. Please review this statement and provide supporting documentation to validate the assertion.
- W) On page 8-11, the document indicates that the signed Merger agreements are presented in Appendix B. Neither of the signed agreements is in Appendix B. Please add the signed documents to the document.
- X) After the selection of the preferred alternative and prior to an issuance of the 401 Water Quality Certification, the NCDOT is respectfully reminded that they will need to demonstrate the avoidance and minimization of impacts to wetlands (and streams) to the maximum extent practical. Based on the impacts described in the document, wetland mitigation will be required for this project. Should the impacts to jurisdictional wetlands exceed 1.0 acres, mitigation may be required in accordance with NCDWQ Wetland Rules {15A NCAC 2H.0506 (h)(2)}.



Michael F. Easley, Governor  
William G. Ross Jr., Secretary  
North Carolina Department of Environment and Natural Resources  
Alan W. Klimek, P.E. Director

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- Y) In accordance with the NCDWQ Wetlands Rules { 15A NCAC 2H.0506(b)(6) }, mitigation will be required for impacts of greater than 150 linear feet to any single perennial stream. In the event that mitigation is required, the mitigation plan should be designed to replace appropriate lost functions and values. In accordance with the NCDWQ Wetlands Rules { 15A NCAC 2H.0506 (h)(3) }, the Wetland Restoration Program may be available for use as stream mitigation.
- Z) Where streams must be crossed, the DWQ prefers bridges be used in lieu of culverts. However, we realize that economic considerations often require the use of culverts. Please be advised that culverts should be countersunk to allow unimpeded passage by fish and other aquatic organisms. Moreover, in areas where high quality wetlands or streams are impacted, a bridge may prove preferable. When applicable, DOT should not install the bridge bents in the creek, to the maximum extent practicable.
- AA) Sediment and erosion control measures should not be placed in wetlands.
- BB) Borrow/waste areas should avoid wetlands to the maximum extent practicable. Impacts to wetlands in borrow/waste areas could precipitate compensatory mitigation.
- CC) The 401 Water Quality Certification application will need to specifically address the proposed methods for stormwater management. More specifically, stormwater should not be permitted to discharge directly into the creek. Instead, stormwater should be designed to drain to a properly designed stormwater detention facility/apparatus.
- DD) There should be a discussion on mitigation plans for unavoidable impacts. If mitigation is required, it is preferable to present a conceptual (if not finalized) mitigation plan with the environmental documentation. While the NCDWQ realizes that this may not always be practical, it should be noted that for projects requiring mitigation, appropriate mitigation plans will be required in conjunction with the issuance of a 401 Water Quality Certification.
- EE) Future documentation should include an itemized listing of the proposed wetland and stream impacts with corresponding mapping.
- FF) Based on the information presented in the document, the magnitude of impacts to wetlands and streams will require an Individual Permit application to the Corps of Engineers and corresponding 401 Water Quality Certification. Please be advised that a 401 Water Quality Certification requires satisfactory protection of water quality to ensure that water quality standards are met and no wetland or stream uses are lost. Final permit authorization will require the submittal of a formal application by the NCDOT and written concurrence from the NCDWQ. Please be aware that any approval will be contingent on appropriate avoidance and minimization of wetland and stream impacts to the maximum extent practical, the development of an acceptable stormwater management plan, and the inclusion of appropriate mitigation plans where appropriate.

The NCDWQ appreciates the opportunity to provide comments on your project. Should you have any questions or require any additional information, please contact John Hennessy at (919) 733-5694.

cc: Steve Lund, Corps of Engineers  
Marella Buncick, USFWS  
Marla Chambers, NCWRC  
John Hennessy, NCDWQ  
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Michael F. Easley, Governor  
William G. Ross Jr., Secretary  
North Carolina Department of Environment and Natural Resources  
Alan W. Klimek, P.E. Director  
Division of Water Quality

#### 401 WATER QUALITY CERTIFICATION PROGRAM COMMENTS

The Winston-Salem Regional Office (WSRO) recommends that the applicant coordinate a Pre-Application Meeting and Site Visit with the Division of Water Quality (DWQ) and the US Army Corps of Engineers (USACE) to determine if a Section 404 Permit (USACE) and a Section 401 Water Quality Certification (DWQ) will be required. Even though a Section 401 Water Quality Certification cannot be issued until the EA/EIS procedure is complete, proceeding with the pre-application and application process will enable the applicant to address Water Quality concerns and Regulations early in the project's development. Such issues include, but are not limited to, the following:

1. Avoidance and Minimization of surface water and riparian buffer impacts,
2. Stormwater Management requirements (as related to the 401 Program),
3. Compensatory Mitigation for streams, wetlands, and/or buffers (where applicable),
4. Water Supply, Nutrient Sensitive, Trout, Outstanding Resource, and/or High Quality Watershed concerns and requirements (where applicable),
5. Compliance with and protection of appropriate Water Quality Standards, on-site as well as off-site, both during construction and after.

#### NPDES STORMWATER PERMITS COMMENTS

Any construction activity including clearing, grading, and excavation activities resulting in the disturbance of five (5) or more acres of total land are required to obtain a NPDES Stormwater Permit, NCG 010000, prior to beginning these activities.

Any facility that is defined as having stormwater discharges associated with industrial activity is required to obtain a NPDES Stormwater Permit (varies) prior to beginning operation.

#### STATE STORMWATER PERMIT COMMENTS

State Stormwater Permits may be required for development activities draining to Outstanding Resources Waters or activities within one mile and draining to High Quality Waters. These must also be obtained prior to development activities.





North Carolina Wildlife Resources Commission

512 N. Salisbury Street, Raleigh, North Carolina 27604-1188, 919-733-3391  
Charles R. Fullwood, Executive Director

TO: Melba McGee, Environmental Coordinator  
Office of Legislative & Intergovernmental Affairs, DENR

FROM: Marla Chambers, Highway Projects Coordinator *Marla Chambers*  
Habitat Conservation Program, NCWRC

DATE: September 3, 2002

SUBJECT: Review of Draft Environmental Impact Statement/Draft Section 4(f) Evaluation  
regarding US 321 Improvements Project in Caldwell & Watauga Counties.  
Federal Aid No. NHF - 321(1), TIP No. R-2237C, State Project No. 6.7939001T

North Carolina Department of Transportation (NCDOT) is planning improvements to US 321 in Caldwell and Watauga Counties and a Draft Environmental Impact Statement/Draft Section 4(f) Evaluation has been prepared for the subject project. Staff biologists with the North Carolina Wildlife Resources Commission (NCWRC) have reviewed the information provided in the document. These comments are provided in accordance with the provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661-667d) and the National Environmental Policy Act (42 U.S.C. 4332(2)(c)).

NCDOT proposes to make improvements to US 321 in or around the resort community of Blowing Rock, NC. A No-Build and five Build alternatives were evaluated, including one widening of existing US 321 alternative and 4 bypass alternatives. The document was well written, easy to follow, and comprehensive. Good descriptions of the project history, existing conditions, alternatives, potential impacts, and the complex issues associated with each alternative were provided. We were pleased to see thorough discussions on a variety of issues, including cumulative and secondary impacts. The tables, maps, and photos, including potential future views of project alternatives, were appropriate, of good quality, and very helpful in reviewing the project.

NCWRC has provided comments on this project at various stages in the past. Copies of two previous project reviews by NCWRC are in Appendix A of the document, the most recent dated February 15, 2000. These comments remain appropriate to the project and NCWRC continues to support the widening of existing US 321 alternative.

US 321  
Caldwell and Watauga Counties

Thank you for the opportunity to review and comment on this project. If you have any questions regarding these comments, please contact me at (704) 485-2384.

Cc: Cynthia Van Der Wiele, DWQ  
Marella Buncick, USFWS





APPALACHIAN REGIONAL COMMISSION  
*A Proud Past.  
A New Vision*

September 5, 2002

Ms. Gail Grimes, P.E.  
Assistant Manager  
Project Development & Environmental Analysis Branch  
North Carolina Department of Transportation  
1548 Mail Service Center  
Raleigh, NC 27699-1548

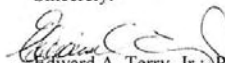
Dear Ms. Grimes:

Thank you for your June 28, 2002 letter offering the Appalachian Regional Commission (ARC) an opportunity to comment on the DEIS for the US 321 improvement project from SR 1500 to US 221 at Blowing Rock in Caldwell and Watauga Counties.

The proposed project will not have any adverse effect on the Appalachian Development Highway System.

Should you have any questions please do not hesitate to contact me at (202) 884 7706.

Sincerely,

  
Edward A. Terry, Jr., P.E.  
Senior Transportation Advisor

Cc: Mr. Nicholas L. Graff – FHWA Division Administrator



Caldwell Community College  
and Technical Institute  
*Office of the President*

September 20, 2002

Mr. Samuel L. Erby, Jr.  
Board Member  
North Carolina Department of Transportation  
Post Office Drawer 230  
Granite Falls, NC 28630-0230

Dear Sam:

The Board of Trustees, at it's regularly scheduled meeting on September 19, 2002, instructed me to convey on their behalf a recommendation with regard to the safe travel of faculty, staff and students between the campus in Caldwell County and Watauga County. The Highway 321 project will have an impact on the aforementioned groups of individuals. As such, it is our recommendation that the North Carolina Department of Transportation consider for the project the safest, most cost-efficient route that would be the least disruptive to the environment. We endorse the widening of Highway 321 in place.

If I may be of further service, please feel free to contact me.

Sincerely,

  
Larry W. Taylor, Chair  
Board of Trustees

bmg

1666 CONNECTICUT AVENUE, NW, SUITE 700 WASHINGTON, DC 20009-1068 (202) 884-7799 FAX (202) 884-7691

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Email: kboham@caldwell.cc.nc.us • Fax: (828) 726-2300 • www.cccti.com

A-19

Commissioners  
Herbert H. Greene, Chairman  
Larry W. Taylor, Vice Chairman  
Ronald R. Beane  
Alden E. Starnes  
Dr. John W. Thuss, Jr.



## COUNTY OF CALDWELL

Post Office Box 2200  
Lenoir, North Carolina 28645-2200  
Phone (828) 757-1300 Fax (828) 757-1295

August 27, 2002

County Manager  
Bobby White  
bwhite@co.caldwell.nc.us  
Clerk to the Board  
Kathy T. Myers  
kmyers@co.caldwell.nc.us



Secretary Lyndo Tippet  
Department of Transportation  
1501 Mail Service Center  
Raleigh, NC 28601

Dear Secretary Tippet,

After many years and many words from many people concerning the widening of 321 through Caldwell County and Watauga County into a four-lane thoroughfare, I will be as succinct as possible in expressing Caldwell County Board of Commissioners "opinion" concerning same.

We believe and support the improvement of 321:

- By the most cost effective route
- As expeditiously as possible
- With the least environmental impact to the County's topography

We also believe that nothing on this earth can be done that will make everybody happy but we do believe that more people will appreciate the road improvement than not. As County Commissioners we have completed a lot of projects by giving the most weight to the most people and not to the few. We have been driven by the greater good in all that we have done and we ask that you and the Department of Transportation do the same.

Herb Greene, Chairman

Larry Taylor, Vice-Chairman

Ron Beane

Alden Starnes

Dr. John Thuss, Jr.

/ceb

cc: Sam Erby  
Jimmy Hodges



## Town of Blowing Rock

1036 Main Street \* Post Office Box 47 \* Blowing Rock, NC 28605

### RESOLUTION NO. 2002-05

#### EXPRESSING THE OPINION OF THE BLOWING ROCK TOWN COUNCIL WITH REGARD TO THE US ROUTE 321 ALTERNATIVES

WHEREAS, in addition to the widening alternative, the North Carolina Department of Transportation has selected four potential alternatives for the route of U.S. Route 321 in and around Blowing Rock; and

WHEREAS, a detailed evaluation has been made of each of the four alternatives, and the four alternatives have been compared to the widening alternative; and

WHEREAS, two of the four alternatives cut across our community and would have serious, detrimental impacts on existing residential neighborhoods, the Blowing Rock Assembly Grounds, the Blowing Rock Country Club, the Green Park National Register Historic District or other vital segments of the Blowing Rock community; and

WHEREAS, the Town Manager, on behalf of the Mayor and Town council, has previously advised Department of Transportation officials that the Town will only support a bypass alternative that is a true bypass of the community and does not cut across the community in a harmful disruptive manner.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Town of Blowing Rock, North Carolina, that:

Section 1. The Town Council expresses its absolute opposition to each of the two alternatives that transgress the Green Hill area (1A and 1B), in addition to and including the widening alternative, and finds these alternatives to be unacceptable in addressing the Town's transportation needs.

Section 2. It is the opinion of the Town Council that these alternatives would be disruptive to the community and would cause irreparable harm to the character and quality of our Town. Therefore, the Council will not agree to widening or other alternatives within the Town limits.

Section 3. The Town Manager hereby requests the Town Clerk to send a copy of this Resolution to the Governor, the Secretary of Transportation, the Manager of the Planning and Environmental Branch of NCDOT, the Division Engineer, the Board of Transportation, and the Project Manager.

Section 4. This resolution shall be effective upon adoption.

Adopted this 13 day of August, 2002.

Mayor

ATTEST:   
Town Clerk

Phone: (828) 295-5200 Fax: (828) 295-5202 E-mail: blowingrock@boone.net